

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Tammy S. Chieftain,

Plaintiff(s),

v.

Case No. 1:04cv498

(Judge Michael H. Watson)

International Brotherhood
of Electrical Workers Pension Fund, et al.,

Defendant(s).

ORDER

This matter is before the Court on the Magistrate Judge's Report and Recommendation filed September 1, 2005 (Doc. 18).

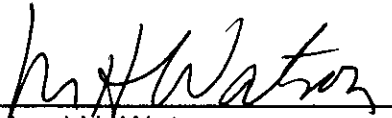
Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. See United States v. Walters, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation have been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. § 636, the Court finds the Magistrate Judge's Report and Recommendation to be correct.

Accordingly, it is **ORDERED** that the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED**. Defendants' Motions to Dismiss (Docs. 5, 6, & 7) are **GRANTED**. Plaintiff's complaint is dismissed for failure to state a claim for which relief can be granted. This action is closed.

bac

September 23, 2005


Michael H. Watson
United States District Judge